

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATIONS Nos.472 of 1999,
474 of 199, 476 of 1999, 477 of 1999 & 487 of 1999.

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For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL

and

MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

LARSEN & TOUBRO LTD SHAREHOLDER

Versus

UNION OF INDIA

Appearance:

NANAVATI ASSOCIATES for Petitioners

MR PB MAJMUDAR for Respondent No. 1

CORAM : MR.JUSTICE B.C.PATEL and

MR.JUSTICE A.L.DAVE

Date of decision: 01/02/99

COMMON ORAL JUDGEMENT : (Per B.C. Patel, J.)

Rule. Mr.P.B. Majmurdar, learned advocate waives service of the rule on behalf of the respondents.

2. Heard the learned advocates appearing for the

parties. We do not propose to give reasons at the request of the learned advocates as the matter is pending before the Collector (Appeals) and the decision may affect them one way or the other.

3. Similar orders are passed in Messrs Ratan Enterprises v. Union of India being Special Civil Application No.6829 of 1997 on 15.10.1997 by this Court (Coram : R.A. Mehta, Actg. CJ & S.D. Pandit, J.) and similar orders are passed in several other matters as well. In view of the fact that orders passed are not speaking orders rule was made absolute in those matters.

4. Mr.P.B. Majmudar, learned advocate states that they have challenged the order in original also. It goes without saying that this court has neither examined the order in original nor has expressed any opinion about the order in original and the matter is confined to the order in stay application, passed by the appellate authority, which is a non speaking one.

5. On the facts and in the circumstances of the case, the appellate authority is directed to rehear the applications for stay moved by the petitioners and pass appropriate speaking orders therein within the period of four weeks from the date of receipt of writ of this order. Recovery of predeposit shall not be made till the stay applications are decided. Rule is made absolute to the aforesaid extent with no order as to cost.

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